

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARIO BANDA-ALICEA,  
  
Plaintiff,  
  
vs.  
  
CORRECTIONS CORPORATION OF  
AMERICA, *et al.*,  
  
Defendants.

Case No.: 2:14-cv-01437-GMN-VCF

**ORDER ACCEPTING REPORT &  
RECOMMENDATION OF MAGISTRATE  
JUDGE FERENBACH**

Before the Court for consideration is the Order and Report and Recommendation (ECF No. 14) of the Honorable Cam Ferenbach, United States Magistrate Judge, entered June 15, 2015. In the Order and Report and Recommendation, Judge Ferenbach ordered Plaintiff to furnish the U.S. Marshal the required USM-285 forms by July 14, 2015 and to complete service on Defendants by August 10, 2015. Judge Ferenbach further recommended pursuant to Federal Rule of Civil Procedure 4 that this action be dismissed without prejudice if service is not completed by August 10, 2015. *See* Fed. R. Civ. P. 4(m) (“If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”). As of the date of this Order, service has not been completed.

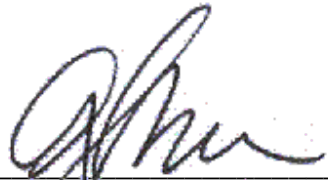
Pursuant to Local Rule IB 3-2(a), objections were due by July 2, 2015. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and agrees with Magistrate Judge Ferenbach’s recommendation that Plaintiff’s Complaint (ECF No. 4) be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4. Therefore, the Court has determined that Magistrate Judge Ferenbach’s Recommendation should be **ACCEPTED** and **ADOPTED** to the extent that it is not inconsistent

1 with this opinion.

2 **IT IS THEREFORE ORDERED** that the Order and Report and Recommendation (ECF  
3 No. 14) is **ACCEPTED and ADOPTED in full**. Plaintiff's Complaint (ECF No. 4) is dismissed  
4 without prejudice.

5 The Clerk shall enter judgment accordingly and close the case.

6 **DATED** this 13th day of August, 2015.

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10 Gloria M. Navarro, Chief Judge  
11 United States District Court  
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